

REMARKS

By this Amendment, Applicant amends the specification and the drawings. Applicant also cancels claim 7, without prejudice or disclaimer of the subject matter therein, amends claims 1-6 and 8-12, and adds new claims 13 and 14. Claims 1-6 and 8-14 are therefore pending in this application.

In the Office Action of December 17, 2004,¹ the Examiner objected to the drawings and specification; objected to claims 1-12 for informalities; and rejected claims 1 and 7-9 under 35 U.S.C. § 112, second paragraph, as being indefinite. The Office Action indicated that claims 2-6 and 10-12 are drawn to allowable subject matter and that claims 1 and 7-9 would be allowable if amended to overcome the § 112 rejection.² Applicant acknowledges with appreciation the indication of allowable subject matter and addresses the objections and rejection below.

Objection to the Drawings

The Examiner objected to the drawings, suggesting that "CONTROL THE MOBILE STATION" should be replaced with --CONTROLLED SIGNAL-- in FIGS. 1, 2, and 10 (OA at 2). In addition, the Examiner noted that "TRANSMISSION" in the FIGS. 1, 2, and 10 should instead read --TRANSMISSION--.

Applicant submits herewith three (3) sheets of replacement drawings (containing FIGS. 1, 2, and 10) addressing the Examiner's objection. Applicant submits that no new matter has been added. Applicant deems the objection to the drawings overcome by the submission of the replacement drawing sheets and thus requests withdrawal of the objection. Applicant requests

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

² In the Office Action, claims 2-6 and 10-12 were allowed. Applicant assumes claims 2-6 and 10-12 were not in fact allowed, however, since the Examiner objected to these claims. Applicant also assumes that claims 1 and 7-9 would be allowable if amended to overcome the § 112 rejection as well as the objection to those claims.

AMENDMENTS TO THE DRAWINGS:

Subject to the approval of the Examiner, please replace the drawing sheets containing FIGS. 1, 2, and 10 in this application with the three (3) replacement drawing sheets filed herewith (each labeled "Replacement Sheet" and collectively containing FIGS. 1, 2, and 10). The replacement drawings address the objection set forth in the Office Action. The changes to the drawings are discussed in the **Remarks** below.

Attachment: Replacement Drawing Sheets (3 sheets, FIGS. 1, 2, and 10).

that the replacement drawings be made of official record in the above-identified application. If the drawings for any reason are not in full compliance with the pertinent statutes and regulations, please so advise the undersigned.

Objections to the Specification

The Examiner objected to the specification for informalities (OA at 3). In particular, the Examiner objected to the specification because it included references to claims. By this Amendment, Applicant amends the specification to address the noted informalities (i.e., removing the claim references) and to correct other minor errors and informalities. Applicant submits that no new matter has been added. Applicant deems the objection to the specification overcome and requests withdrawal of the objection.

Objection to claims 1-12 for informalities

Claims 1-12 were objected to for various informalities. In addition, the Office Action indicated that, if claim 1 were allowed, claim 7 would be objected to under 37 C.F.R. § 1.75 as being duplicative (OA at 4). By this Amendment, Applicant cancels claim 7, without prejudice or disclaimer of the subject matter therein and amends claims 1-6 and 8-12 to address the informalities noted by the Examiner and to more appropriately claim the subject matter recited therein. The objection to claim 7 is rendered moot by the cancellation of that claim, and Applicant deems the objection to claim 1-6 and 8-12 overcome. Applicant therefore requests withdrawal of the objection to claims 1-6 and 8-12. Because there are no outstanding rejections of claims 2-6 and 10-12, and the only objection to those claims has been overcome, Applicant requests the timely allowance of claims 2-6 and 10-12.

Section 112, second paragraph, rejection of claims 1 and 7-9

The rejection of claim 7 is rendered moot by the cancellation of that claim. Applicant deems the § 112 rejection of claims 1, 8, and 9 overcome, as discussed below.

The Examiner alleged that claim 1 is indefinite because of the "said one station" and "said other station" recitations (OA at 5). In addition, the Examiner noted that the recitation "said radio communication station" lacks antecedent basis in claim 8 and 9. Applicant submits that claims 1, 8, and 9, as currently amended, are fully compliant with § 112, second paragraph. Applicant therefore requests withdrawal of the § 112 rejection of claims 1, 8, and 9. Because the outstanding rejections and objections with respect to claims 1, 8, and 9 have been overcome, Applicant requests the timely allowance of those claims.

New claims 13-14

Applicant adds new independent claims 13 and 14 to protect aspects of the invention. Applicant requests the timely allowance of these new claims.

Conclusion


Applicant requests the Examiner's reconsideration of the application in view of the foregoing, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: April 18, 2005

By: 
Frank A. Italiano
Reg. No. 53,056

Attachment: Replacement drawing sheets (3)